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Paper No. 12

In re Application of : DECISION ON PETITION
Ebarhard Frölich *et al* :
Application No. 09/899,694 :
Filed: July 5, 2001 :
Attorney Docket No. P6338.7US

This is a decision on the petition filed by facsimile transmission on December 3, 2003 by which petitioners request.s withdrawal of this application from issue. The petition is considered pursuant to 37 CFR 1.313(a), and the \$130.00 petition fee will be charged to Deposit Account No. 50-1199.

The petition is granted.

Petitioners request that this application be withdrawn from issue due to the unpatentability of one or more claims, and have submitted a listing of the prior art which renders the claims unpatentable, together with a proposed amendment. The petition was filed prior to payment of the issue fee on December 4, 2003. Therefore, the petition clearly satisfies the requirements of 37 CFR 1.313(a).

Accordingly, this application will be withdrawn from issue. The issue and publication fees will not be refunded at this time. The application will be forwarded to the Head Supervisory Applications Examiner to charge the \$130.00 petition fee, and after withdrawal from issue, will be forwarded to the examiner for consideration of the submitted prior art and the amended claims.

PETITION GRANTED.

E. Rollins-Cross, Director
Technology Center 3700

Gundren E. Huckett
Lönsstr. 53
42289 Wuppertal VIA AIR MAIL
Germany